

EXHIBIT D

Cori Frauenhofer

January 28, 2021

VIDEO TELECONFERENCE DEPOSITION
CORI FRAUENHOFER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHELO, et al.,
BIFULCO, et al.,

Plaintiffs,

- vs - Case No.
18 Civ. 1781
18 Civ. 7692

NATIONAL COLLEGIATE STUDENT
LOAN TRUST 2007-2, et al.,
NATIONAL COLLEGIATE STUDENT
LOAN TRUST 2004-2, et al.,

Defendants.

Video teleconference deposition of CORI
FRAUENHOFER, Plaintiff, present at JACK W. HUNT &
ASSOCIATES, INC., 1120 Liberty Building, Buffalo,
New York, taken pursuant to the Federal Rules of
Civil Procedure and Executive Order No. 202.7,
Section 29-a of Article 2-B, connecting to various
locations on January 28, 2021, commencing at
10:08 a.m., before LORI K. BECK, CSR, CM, Notary
Public.

1 July 1st, 2013, at 8:33 a.m., it says that
2 this individual is served with summons and formal
3 complaint bearing index number and filing date on
4 Cori Frauenhofer at 288 Travers Circle, Apartment B
5 in Amherst, New York.

6 Okay. And then if we go a little bit
7 further below, it lists identifiers of the
8 individual who was served.

9 So in 2013, were you 28 years old?

10 MR. HAWKINS: Objection.

11 THE WITNESS: Yes.

12 BY MR. MARCUS:

13 Q. Okay. And are -- are you approximately
14 five feet five -- five feet four inches?

15 MR. HAWKINS: Objection.

16 THE WITNESS: No.

17 BY MR. MARCUS:

18 Q. In 20 -- in 2013, would that have been
19 your height?

20 A. I don't think so.

21 Q. What's your height?

22 A. I don't know. Maybe five two.

23 Q. Okay. This affidavit of service
24 indicates that you were served at -- well, that
25 Cori Frauenhofer was served at 288 Travers Circle,

1 Apartment B.

2 No one else other than your children and you
3 were living at that address during that time
4 period, correct?

5 MR. HAWKINS: Objection.

6 THE WITNESS: Yes.

7 BY MR. MARCUS:

8 Q. Do you recall being served with a
9 summons and formal complaint in July of 2013
10 related to the National Collegiate Student Loan
11 Trust debt?

12 MR. HAWKINS: Objection.

13 THE WITNESS: No, I don't.

14 BY MR. MARCUS:

15 Q. Do you recall being personally served
16 in 20 -- in July of 2013?

17 MR. HAWKINS: Objection.

18 THE WITNESS: I don't remember.

19 BY MR. MARCUS:

20 Q. Have you ever been served with -- do
21 you recall ever being served with a summons and
22 formal complaint ever for anything?

23 MR. HAWKINS: Objection.

24 THE WITNESS: No, I don't remember.

25 BY MR. MARCUS:

1 So Ms. Frauenhofer, this is the formal
2 complaint -- this is a copy of the formal complaint
3 that was filed against you in the state court
4 lawsuit. Have you ever seen this document before?

5 A. I think so.

6 Q. And when was the last time that you saw
7 it?

8 A. I don't know. I don't remember.

9 Q. Was it prior to this federal lawsuit
10 you've filed against our clients?

11 A. I don't know.

12 Q. The first time that you saw this
13 Complaint, did you do anything about it?

14 MR. HAWKINS: Objection.

15 THE WITNESS: No.

16 BY MR. MARCUS:

17 Q. And why not?

18 A. Didn't have the time, didn't have the
19 money. I didn't really know what route to go.

20 Q. Did you call anyone?

21 A. I don't remember.

22 Q. Did you call your parents?

23 A. No.

24 Q. Did you call Forster & Garbus, to your
25 knowledge?